

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): NATSUME et al.	Allowed on July 28, 2006	FAX RECEIVED
Serial No.: 10/690,843	Confirmation No.: 5399	APR 13 2007
Filed: October 23, 2003	Issue Fee paid on October 24, 2006	
Title: DISTANCE CALCULATING METHOD AND SYSTEM	Atty. Dkt.: 11-200-RCE	OFFICE OF PETITIONS
	Group Art Unit: 3662	
	Examiner: GREGORY, BERNARR E	

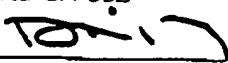
Commissioner for Patents  
Alexandria, VA 22314

Date: April 13, 2007

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Office of Petitions, Fax No. 571-273-0025, attention to Ms. Karen Creasy on April 13, 2007.

Typed Name: DAVID G. POSZ

Signature: 

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §1.56, the reference(s) listed on the attached Form PTO-1449 is/are submitted for consideration by the Examiner without any admission that it/they constitute(s) statutory prior art, or without any admission that it/they contain(s) subject matter that anticipates the invention or renders the invention obvious to a person of ordinary skill in the art.

Although no fees are believed to be due at this time, it is respectfully requested that any such fees be charged to Deposit Account 50-1147. Also, the Examiner is requested to initial the attached PTO Form-1449 and to return a copy of same to the undersigned attorney as proof that the listed references have been considered and made of record.

Respectfully submitted,



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## \* PATENT APPLICATION

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FORM PTO-1449 LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	ATTY. DKT NO.	SER. NO.
	11-200-RCE	
	APPLICANT NATSUME et al.	
FILING DATE 10/23/2003	GROUP 3662	

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS
		6,788,247 (counterpart of WO 02/067010 A1)	09/07/2004	Mitsumoto et al.		

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	NAME	CLASS	SUB CLASS	TRANSLATION	YES	NO	English Abstract
		WO 02/067010 A1 (counterpart of US 6,788,247)	08/29/02	PCT							X

\* Full English text of the JP Document will be available in machine-translated form from JP (Japanese Patent Office) English language web site at <http://www1.ipdl.jpo.go.jp/PA1/cgi-bin/PA1INDEX>.

## OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)

		Notification of reasons for rejection in corresponding Japanese application No. 2002-311386 dated March 13, 2007 (copy and translation enclosed).
EXAMINER		DATE CONSIDERED

Rev. 10/94 (Form 3.05)

## NOTIFICATION OF REASONS FOR REJECTION

Patent Application No.: 2002-311386  
Date of Draft: March 8, 2007  
Date of Dispatch: March 13, 2007  
Examiner: Yuhki OHWADA 3710 2S00  
Patent Attorney: Tsutomu ADACHI  
Applied Article: 2<sup>nd</sup> par. of Art. 29 & Art. 36

This application should be rejected for the reasons set forth below. Should the applicant have any arguments against the reasons, such arguments should be submitted within 60 days from the date of dispatch of this notification.

### REASONS

#### [Reason 1]

The detailed description of the present application does not comply with the requirements provided under Sec. 1, 4<sup>th</sup> pars. of Art. 36 of the Patent Law as set forth below. Also, the scope of the claims for patent of the present application does not comply with the requirements provided under Secs. 1 and 2, 6<sup>th</sup> pars. of Art. 36 of the Patent Law as set forth below.

### NOTE

(1) Claims 1 and 2 of the present application recite "a relation between the frequency of said beat signal and said prediction distance". However, the formula meant by the "relation" is indefinite. Because of this indefinite "relation", it is also indefinite how the "prediction distance" is determined from the "frequency of the beat signal".

The same applies to claims 4 to 6 which depend from claim 2.

(2) Claim 3 of the present application recites, for example, "said distance predicting means" and "said prediction distance". However, these recitations, which have no antecedents in claim 3, are indefinite.

The same applies to claims 4 to 6 which depend from claim 3.

#### [Reason 2]

The inventions related to the following claims of the present application should not be granted a patent under the provision of 2<sup>nd</sup> par., Art. 29 of the

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Patent Law since it would have been obvious for those who have ordinary knowledge in the art to make the inventions prior to the filing date of the present application on the basis of the Inventions that had been described in the following publications distributed in Japan or foreign countries, or the inventions that had been available to public through telecommunications network system.

**NOTE****Claims 1, 2 and 4-6****Reference 1: International Pamphlet WO02/067010****(See in particular from line 6 on page 10 to line 16 on page 11.)****<Remarks>**

Reference 1 describes that, by using the FM-CW radar, (1) the prediction distance is determined with a relation established between the frequency of said beat signal obtained by seeping the electromagnetic wave either from the minimum value to the maximum value or vice versa within the modulation range, and said prediction distance, and (2) the continuity of the beat signal is determined by estimating the frequency of the beat signal and by comparing the estimated value with the measured value.

It would have been obvious for a skilled person to make the inventions related to claims 1, 2 and 4-6 based on the invention described in Reference 1.

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**<RESULTS OF PRIOR ART SEARCH ON RECORD>****Field of search      IPC****G01S 7/00-7/42****G01S 13/00-13/95****Prior Art Reference**

- a. JP-A-H05-142338
- b. JP-A-H05-333143
- c. JP-A-H08-094749
- d. JP-A-H08-262130
- e. JP-A-H10-148669
- f. JP-A-H11-038129
- g. JP-A-H11-271429
- h. JP-A-H11-211811
- i. JP-A-2000-241536

j. JP-A-2003-149325

The results of this search on record shall not constitute the reasons for rejection.

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<Contact Information>

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If there is any question about this notification of reasons for rejection, or an interview is desired to be held, please contact the person named below.